

MINUTES
TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY

Date: March 3-4, 2004

Time: 9:00 a.m., CST

Location: Tennessee Room
Ground Floor, Cordell Hull Building
425 Fifth Avenue, North
Nashville, TN 37247-1010

Board Members

Present: Debra Davenport, MA., SPE, Vice Chair
Denise Davis, Ph.D.
Carl Gilleylen, Ph.D.
Anne McIntyre, Ph.D.
William Vaughan, III, Ph.D., Sr. P.E.
Carolyn West-Willette, Ed.D.

Board Members Absent: Scott Gale, Ed.D., Board Chair
Michael Stagg, Esq.

Staff

Present: Melody Spitznas, Board Administrator
Nicole Armstrong, Advisory Attorney
Rick Agee, Unit Director
Barbara Maxwell, Administrative Director
Jerry Kosten, Regulations Manager
Robbie Bell, Director of Health Related Boards
Harry Weddle, III, Deputy General Counsel

The board meeting was called to order by the Vice Chair, Debra Davenport, at 10:45 a.m., on March 3, 2004. The board was informed that Dr. Gale is in the hospital. The board members and staff wish Dr. Gale a speedy recovery.

The board welcomed Dr. Davis' psychology students to the meeting.

Conflict of Interest Policy

Ms. Armstrong reviewed the Conflict of Interest statement to the Board reminding the members to disclose any conflicts of interest they may have, including sitting in on a case where a member would feel biased, either against the complainant or the state.

Review and Approve Minutes

Upon review of the November 19-20, 2003 minutes, Dr. McIntyre made a motion, seconded by Dr. Gilleylen, to approve the minutes upon correction. The motion carried.

Disciplinary Report

Ms. Phelps, Disciplinary Coordinator, reviewed the disciplinary report with the board. Ms. Phelps said there are five practitioners being monitored. Ms. Phelps said three practitioners were on probation, one had his license suspended and two are practicing on restricted licenses. Ms. Phelps also included a list of all disciplined psychologists and psychological examiners for the board's review.

Investigative Report

Ms. Phelps reviewed the investigative report with the board and stated there are fifteen open complaints in Investigations; twelve in 2003 and three in 2004. Ms. Phelps said three complaints were sent to the Office of General Counsel (OGC).

Discuss Oral Examination

Upon discussion of the oral examination scores, Dr. Vaughan made a motion, seconded by Ms. Davenport, to allow Ms. Maxwell review oral examination pass/fail scores and issue go to work letters if the score is a unanimous pass and all other licensure requirements have been met. The motion carried.

In review of the oral examination procedures, Ms. Davenport suggested that a cover sheet be sent to the oral exam chairpersons asking that the committee members test the knowledge of the rules and statutes and not the limits of the applicant. Dr. McIntyre said the board should seriously consider replacing the oral examination as she is having a problem getting volunteers in East Tennessee to give the oral exam. Ms. Maxwell suggested enclosing a jurisprudence written examination with the application for the applicant to complete and return. Dr. Davis offered to coordinate the written jurisprudence examination. Upon discussion, the board asked that this issue be placed on the agenda for the June meeting.

Report from Jerry Kosten, Rules Manager

Mr. Kosten stated the rulemaking hearing to amend Rule 1180-1-.10 regarding disciplinary actions (order of compliance and modification) was conducted December 23, 2003. Mr. Kosten asked the board to conduct a roll call vote to accept or reject the amendment. Upon review of the amendment, Dr. Davis made a motion, seconded by Dr. Vaughan, to approve the amendment. A roll call vote was conducted and all members voted in the affirmative with the exception of Dr. McIntyre who abstained. The motion carried.

Mr. Kosten said the amendment to Rule 1180-2-.01 to add behavior analysis to the scope of practice became effective March 1, 2004. Mr. Kosten asked to the board to define behavior analysis. Dr. Davis said it's the systematic application of the principle of behavior modification

techniques. Dr. Vaughan said it's often called functional analysis and you must have training and supervision in that particular area. Dr. West-Willette said the theory came from the field of psychology.

Mr. Kosten said the board should vote to amend the rules to require applicants to submit a notarized or certified copy of their birth certificate with the application, and to allow Ms. Maxwell to review oral examinations and issue go to work letters for those applicants who have met all licensure requirements including successfully passing the oral examinations. Dr. Davis made a motion, seconded by Dr. Vaughan, to approve the proposed amendments for a rulemaking hearing. The motion carried.

Mr. Kosten said the rulemaking hearing will be conducted May 25, 2004.

OGC Report from Nicole Armstrong, Advisory Attorney

Ms. Armstrong said there are twenty-eight (28) cases representing complaints against psychologists and eight (8) cases representing complaints against psychological examiners.

Ms. Armstrong said the Department of Energy dropped their petition of declaratory order and will be using psychologists licensed in Tennessee to conduct their evaluations.

Mr. Armstrong stated that several boards have had licensees contact their members regarding applications, disciplinary and other matters. Ms. Armstrong asked the members to refer any such calls to the administrative office to eliminate a possible conflict of interest should the matter come before the board.

Dr. McIntyre said that the board members are the people the licensees know and the members know aspects of certain matters that no agency office is able to answer. Dr. McIntyre stated she gets questions regarding applications, form and processes that are unclear even to the board members.

Mr. Agee stated that he disagrees and the caller should be referred to the board.

Ms. Bell stated that the board members advice would be heightened and may compromise the member. Ms. Bell said the appearance of impropriety is unacceptable and all questions should be referred to the board staff.

Mr. Weddle stated the members have a superceding duty as a board member and colleague and therefore must remain neutral. Mr. Weddle said when a board member functions outside the scope of a board member they are setting themselves up for personal liability.

Administrative Report

Ms. Spitznas reviewed the administrative report stating there are currently 1219 licensed psychologists and 669 licensed psychological examiners and senior psychological examiners. Ms. Spitznas said 30 psychologists and 20 psychological examiners have renewed their licenses online within the last four months.

Ms. Spitznas reviewed the brief synopsis of legislation which may affect the board and said copies of the bills are under Tab 17.

Ms. Spitznas said the psychology continuing education audit is for the calendar years 2001 and 2002. Ms. Spitznas said the letters have gone out and she hopes to have the results for the board at the June meeting.

Office of Health Licensure and Regulation Report

Mr. Agee reviewed the report and stated the board has a deficit of \$21,283, due in part to case hearings which cost the board over \$100,000 for investigative fees in 2001.

Ms. Tittle distributed and discussed a ten year accumulative spread sheet of the board's financial activities. Ms. Tittle stated the biggest drop in costs the board had over the past year was tied to case hearings. Ms. Tittle said in 2001 the Investigative and OGC costs were over \$100,000, in 2002 over \$90,000 and in 2003 the costs were \$68,500.

Ms. Tittle said the department will be installing a new computer system costing millions of dollars. Ms. Tittle said the system and costs will be divided between the department and the Department of Commerce and Insurance. Ms. Tittle said all boards will participate with the costs which will be based on the number of licensees for each board. Ms. Tittle said the Psychology Board costs would be around \$10,000 to \$15,000 per year for five years.

Ms. Bell said there will be some major changes in the way board meetings are conducted in the future and those costs will be divided between all health related boards. Ms. Bell said instead of using notebooks to conduct board business the members will have a monitor with board material in them, an internet system for the board members to contact staff on a secured web site and videoconferencing. Ms. Bell said her ultimate goal is to have a live broadcast via the internet of board meeting and a live broadcast of the witnesses in other states.

Ratify written examination results

Dr. Vaughan made a motion, seconded by Dr. Gilleylen, to ratify the following passing written examination scores:

Craig Hunter, Ph.D./HSP	652
Jennifer S. Hinkle, Ph.D./HSP	604
Susan Mathews, Ph.D./HSP	566
Daniel Sartor, Ph.D./HSP	609
Jennifer Couch, P.E.	510

The motion carried.

Dr. Gilleylan made a motion, seconded by Dr. Davis, to ratify the following failed written examination scores:

Robert Dodd, Ph.D./HSP	429
Nanet Lopez-Cordova, Psy.D./HSP	398

The motion carried.

Ratify oral examination results

The board reviewed the oral examination tapes and summary forms for **Stacey Coulter, Psychological Examiner; Jorge Boero, Ph.D., Psychologist/HSP and Jeffrey Eckert, Ph.D., Psychologist/HSP.**

Dr. West-Willette said only the last five minutes of one oral examination was recorded. Dr. West-Willette said the questions were general and the answers were general.

Upon review, Dr. Vaughan made a motion, seconded by Dr. West-Willette, to approve the oral examination results of **Stacey Coulter, Jorge Boero, Ph.D. and Jeffrey Eckert, Ph.D.** The motion carried.

The board members conducted oral examinations for **Anna Palmer, Psychological Examiner, Susan Sasse, Psychological Examiner and Elizabeth Cox, Ph.D., Psychologist/HSP.**

Dr. Gilleylen made a motion, seconded by Dr. West-Willette, to approve the oral examination results of **Anna Palmer, Psychological Examiner.** Dr. Vaughan and Dr. Davis abstained. The motion carried.

Dr. Davis made a motion, seconded by Dr. Gilleylen, to approve the oral examination results of **Susan Sasse, Psychological Examiner.** Dr. McIntyre abstained. The motion carried.

Dr. Davis made a motion, seconded by Dr. McIntyre, to approve the oral examination results of **Elizabeth Cox, Ph.D., Psychologist/HSP.** Dr. West-Willette and Dr. Gilleylen abstained. The motion carried.

Dr. Davis made a motion, seconded by Dr. Vaughan, to ratify the following passing oral examination results:

**Amy Balentine, Ph.D./HSP
Kimberly Eckert, Ph.D./HSP
Samuel Holcombe, Psy.D./HSP
Kenneth Jones, Ph.D./HSP
Jennifer Jacobson, Psy.D./HSP
Dodge Rea, Ph.D./HSP
Theren Womack, Ph.D./HSP
Michelle Zak, Ph.D./HSP
Dennis Painter, P.E.**

The motion carried.

Ratify abandoned/closed applications

Dr. Davis made a motion, seconded by Dr. Vaughan, to ratify the following abandoned/closed applications:

Marcy C. Conner, Ph.D./HSP

Ekta Ahluwalia, Ph.D./HSP

Jon Forlines, Ph.D./HSP

Alice F. Frye, Ph.D./HSP

Sarah L. Hart, Ph.D./HSP

Deidre Vaughn-Sharp, Ph.D./HSP

Richard Whited, Ph.D./HSP

The motion carried.

Discuss disciplinary guidelines

Ms. Bell said an audit was conducted in November for several boards at which time the comptroller determined that some boards did not have disciplinary guidelines. Ms. Bell stated she would be drafting guidelines for all boards; however, since this is only a recommendation by the Comptroller's Office the board has the option of whether or not to utilize disciplinary guidelines. The board stated they were interested in having guidelines in order to be fair and have a good settlement tool. Ms. Bell said she would have the guidelines ready by the June meeting.

Homeland Security

Ms. Bell asked the board members to assist the Tennessee Office of Homeland Security and Department of Health in preparing the state for emergency or crisis situations. Ms. Bell asked all board members to make sure their e-mail addresses and fax numbers are correct on our system. Ms. Bell informed the board members they may change this information on-line at www.tennessee.gov, via fax at 615/532-5369, or e-mail it to the board administrator.

Application file review

Dr. Davis made a motion, seconded by Dr. Vaughan, to accept the following applications for licensure as psychologists with health service provider (HSP) designations:

John Thurman, Ph.D. – Issue applicant a provisional license to obtain the 1900 hours of postdoctoral supervised experience and schedule for the written examination.

Ronald Roberts, Ph.D. – Issue applicant a provisional license to obtain the 1900 hours of postdoctoral supervised experience and schedule for the written examination.

Joan Popkin, Ph.D. – Schedule applicant for the oral examination.

Murdock Henderson, Psy.D. – Issue applicant a provisional license to obtain the 1900 hours of postdoctoral supervised experience and schedule for the written examination.

Deborah Carter, Ph.D. – Issue applicant a provisional license to obtain the 1900 hours of postdoctoral supervised experience and schedule for the written examination.

Jennifer Hanket, Psy.D. – Issue applicant a provisional license to obtain the 1900 hours of postdoctoral supervised experience and schedule for the written examination.

Marie Hammond, Ph.D. – Schedule applicant for the oral examination.

Janet Foliano, Psy.D. – Issue applicant a temporary license upon receipt of affidavit of supervision form and schedule for the oral examination.

The motion carried.

Dr. Davis made a motion, seconded by Dr. West-Willette, to issue **Jane Tram, Ph.D.** a provisional license to obtain the 1900 hours of postdoctoral supervised experience and be scheduled for the written examination pending documentation Dr. Tram has legal residency in the United States. The motion carried.

Dr. McIntyre made a motion, seconded by Dr. Vaughan, to issue **Laurie Greco, Ph.D.** a provisional license to obtain the 1900 hours of postdoctoral supervised experience and be scheduled for the written examination. The motion carried.

Dr. McIntyre made a motion, seconded by Dr. Vaughan, to issue **Karina Stewart, Ph.D.** a provisional license to obtain the 1900 hours of postdoctoral supervised experience and be scheduled for the oral examination. The motion carried.

Dr. Davis made a motion, seconded by Dr. Vaughan, to issue **Lisa Pelligren, Ph.D.** a provisional license to obtain the 1900 hours of postdoctoral supervised experience and be scheduled for the written examination. The motion carried.

Dr. Davis made a motion, seconded by Dr. Gilleylen, to issue **D. Malcolm Spica, Ph.D.** a temporary license and be scheduled for the oral examination. The motion carried.

Dr. Davis made a motion, seconded by Dr. McIntyre, to schedule **Sharlet Ann Anderson, P.E.** for the written examination.

Dr. McIntyre made a motion, seconded by Dr. Davis, to issue **Deborah Van Slyke, Ph.D.** a provisional license to obtain the 1900 hours of postdoctoral supervised experience and be scheduled for the written examination. The motion carried.

Dr. Davis made a motion, seconded by Dr. West-Willette, to schedule **Priscilla de Garcia, Ph.D.** for the oral examination. The motion carried.

Dr. Davis made a motion, seconded by Dr. Vaughan, to issue **Deidra Vaughn-Sharp, Ph.D.** a provisional license to obtain the 1900 hours of postdoctoral supervised experience and be scheduled for the written examination, upon receipt of her transcript showing her doctoral degree. The motion carried.

Dr. Vaughan made a motion, seconded by Dr. Davis, to issue **Martina O'Brien, P.E.** a temporary license and be scheduled for the written examination based on her practicum supervised by a psychologist/HSP. The motion carried.

Dr. McIntyre made a motion, seconded by Dr. Vaughan, to delay the application of **Thomas Bishop, Ph.D.** in order to obtain clarification regarding his health issues. The motion carried. Dr. Vaughan made a motion, seconded by Dr. West-Willette, to delay the application of **Krystal Hurst, P.E.** in order to obtain documentation that she completed three hours of personality assessment. The motion carried.

Dr. Vaughan made a motion, seconded by Dr. Martin, to delay the application of **Linda Guthrie, P.E.** for sixty (60) days until receipt of her practicum documentation form indicating she was supervised by a psychologist/HSP. Ms. Davenport abstained. The motion carried.

Dr. Vaughan made a motion, seconded by Dr. Davis, to delay the application of **Lisa Dorn, P.E.** for sixty (60) days until receipt of her practicum documentation form indicating she was supervised by a psychologist/HSP. The motion carried.

Dr. Gilleylen made a motion, seconded by Dr. Davis, to deny the application of **Adam McLain, Ph.D.** as his internship is not APA or APPIC approved. The motion carried.

Dr. Davis made a motion, seconded by Dr. McIntyre, to deny the application of **Davis Douglas Emerson, Ph.D.** as his internship is not APA or APPIC approved and his letters of recommendation are not sufficient. The motion carried.

Review correspondence

Upon review of the letter from Terri Dean, L.P.E. regarding the failure to renew status of her license and late fees in the amount of \$1,185, Dr. Davis made a motion, seconded by Dr. McIntyre, to ask Ms. Dean to submit proof she was not working during the period her license was in a failure to renew status to avoid the \$100 per month late fees. The motion carried.

Upon review of the letter from Jeffrey Eckert, Ph.D. regarding his concern over the administration of his oral examination, Dr. Davis made a motion seconded by Dr. Vaughan to send Dr. Eckert a letter thanking him for expressing his concerns. The motion carried.

Upon review of the letter from Nancy Keesee, Ph.D. requesting an extension on her provisional license, Dr. Vaughan made a motion, seconded by Dr. West-Willette, to inform Dr. Keesee that she must submit a new application for a provisional/temporary license to complete her 1900 hours of postdoctoral supervised experience or work under supervision while waiting to sit for the written examination. The motion carried.

Dr. Vaughan asked that the requirements and responsibilities of the supervisor be placed on the agenda of the next meeting.

Discuss the psychology application

The board discussed the internship documentation portion of the application which was a four page document in the old application compared to one page in the new application. Dr. Davis stated she would like to utilize the four page document to obtain information regarding the applicant's internship. Dr. Davis made a motion, seconded by Dr. West-Willette to amend the psychology application to include the four page verification of pre-doctoral internship. The motion carried.

Other Board Business

With no other board business to conduct, Dr. Davis moved to adjourn the meeting, seconded by Dr. Vaughan. The motion carried and the meeting adjourned at 3:15 p.m.

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